



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Uhlmann *et al.*

Appl. No. 09/500,991

Filed: February 15, 2000

For: **Compounds Modulating Sister
Chromatid Separation and Method
for Identifying Same**

Confirmation No.

Art Unit: 1652

Examiner: Fronda, C.

Atty. Docket: 0652.2040000/EKS/Y-W

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**Reply to Restriction Requirement and
Second Preliminary Amendment**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated **August 30, 2001** (PTO File Wrapper Paper No. 6), requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect, *with traverse*, to prosecute the invention of Group II, represented by new claims 36-37 and 39-49. This election is made without prejudice to or disclaimer of the claims disclosed in other groups. Applicants reserve the right to pursue the non-elected claims in related applications.

As a reply to this Office Action was due on September 30, 2001, enclosed herewith is a Petition for an extension of time.

Together also with the reply to this Office Action, Applicants respectfully remind the Examiner that acknowledgments have not been made for the claim of foreign and domestic priority which was filed on February 15, 2000 and for receipt of the certified copy of the foreign priority document EP99102962.0, which was submitted on September 21, 2000.

In advance of prosecution, Applicants also amend the claims to more precisely define the invention. This Amendment is submitted in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments

In the Specification:

Please amend the specification as follows:

On page 2, please delete the priority statement which was inserted previously in the Preliminary Amendment filed on August 3, 2000 and replace it with the following paragraph:

6' --This application claims priority benefit to U.S. provisional appl. no. 60/126,767, filed March 3, 1999.--

In the Claims:

Please cancel claims 17-35 without prejudice to or disclaimer of the subject matter therein in favor of the following new claims: